

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

10/27/06 AM 11:22

THOMAS P. WHITE # 28827

Full name and prison number
of plaintiff(s)

v. Houston Co Jail, Houston Co,

Sheriff Lamar Glover, Houston

Co. Commissioners Et Al. W.B.

McCarty (Commander) Lt. K.

Reno & Sheriff & Co Commissioners

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

CIVIL ACTION NO. 1:06 CV 961-WKW
(To be supplied by Clerk of
U.S. District Court)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (X)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (X)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) _____
Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. PLACE OF PRESENT CONFINEMENT Houston Co. Jail, Houston Co.
Dothan, Al. 36301

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Houston Co Jail.
Dothan Al.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS. Dothan Al.

NAME	ADDRESS
1. Sheriff Lamar Glover	Houston Co Jail
2. "All" County Commissioners Houston Co.	Houston Co.
3. Commander W.B. McCarty	Houston Co Jail
4. Lt. K. Rocco	Houston Co. Jail
5. _____	_____
6. _____	_____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED from 5-5-05
until current date (today) Oct 20 2006

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: The cruel & unusual conditions which are
violating my rights & subjecting me to conditions which are
a threat to my health, safety, well-being.

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

SEE ENCLOSED GRIEVANCES

GROUND TWO: SAME AS ABOVE

SEE GRIEVANCES ENCLOSED

SUPPORTING FACTS:

GROUND THREE: SAME AS ABOVE

SUPPORTING FACTS: SEE ENCLOSED GRIEVANCES

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Rule in my favor to right the wrongs done to
myself and all inmates at this jail & award me the
sum of \$100,000 (one hundred thousand dollars) for punitive,
Declaratory & compensatory damages to myself & as well as for
mental/physical suffering & emotional anguish.

Thomas White
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on Oct. 20th 2006.
(Date)

Thomas White
Signature of plaintiff(s)

Sept. 13th 2006

RECEIVED

To: Sheriff, Glover
Re: Thomas P. White &
Conditions of Prison Co. Jail
& Prison, May 1983 Civil Suit
Against Sheriff, Jail Admin.
Co. Commissioners & Probate Judge.

Mr. Glover,

I am writing this letter to inform you that because of the conditions of the jail & current administration I am filing Civil Action Suit. Mr. Glover, enclosed is just 2 (two) examples of the conditions & situation I am referring.

Mr. Glover, the food has constantly been full of bugs, never a well balanced diet - never appropriate amounts or portions, always cold.

The medication is being passed out by Simple Correction Officers (not certified) & not by RNs or LPNs - certainly should not be allowed to have inmates accompany the med cart & dispense, handle & package medication.

Also, the law library is not up to date. The Administration does not provide "indigent inmates" with copy service as they should.

Also, the Administration is/are causing inmates due process by not answering Grievance forms & Request Forms. I am enclosing two (2) for proof.

(2)

Mr. Glover, another problem here at the jail is how the Correction Officers are 'constantly' pulling their "Taser Guns" on inmates for no reason. It would be another suit if (or when) one of your officers "Tase" an inmate for "arguing" not threatening or being violent... Simply arguing with your officers. Mr. Glover please instruct your officers to "when" (exactly) it is permissible to use excessive force of this nature. So far they are using them as personal toys & for "entertainment". Sheriff Clark, Sir I am writing this to you in all due respect to you as the Sheriff & as well as a "Human-Being", I feel you would not allow this to be going on if you were aware of it & most especially if it was a family member or loved one who is being subjected to these reckless & negligent, unfair conditions & unhealthy situations. Sir, I am respectfully requesting a response from you, or at the very least Mr. Glover, please let me know you have got this. Thank you.

Respectfully,

P.S. I've been incarcerated here since 5/5/05 & these conditions have become worse. Unbearable actually.

Thomas P. White
#288217 Food
901 E. Main St
Dothan AL 36301

To:
County Commissioners
Shoustar County
Dothan Alabama

Re:
Cruel/Unusual Conditions,
Health Hazards,
Civil Rights Violations.

To Whom it may concern;

The purpose of this letter is to inform the Commissioners of situations at Co Jail. The food is & has been full of bugs, unlabeled meals & inadequate portions as mandated by Federal & State Requirements. Several Grievances have been filed upon the food, yet it has only gotten worse. I am enclosing just 2 (two) examples of this. But there are "numerous" other violations as well. I am including a list of such in this letter. I have been incarcerated here at this Jail since 5/5/05 & these conditions have & are only getting worse. I, & others have continued to file grievance forms, write requests & personally spoke with & pleaded to this administration to no avail. If anything the situation only gets worse. When we file grievances they are not answered. This is a violation of our "due process" & our rights.

The inmates housed within this facility are being treated as sub-human creatures & should not be subjected to those harsh cruel & unusual conditions. The purpose of this letter is to make aware to

(2)

the Co. Commissioners of this situation & to act as a request by all inmates housed within the Houston Co. Jail to the Commissioners & to place with Commissioners to intervene & to remedy this problem so as to keep this from becoming a CIVIL LAW SUIT filed against Co. Commissioners, Sheriff, & Jail Administration for the conditions we are subjected to unfairly. These are only a "few" violations & conditions that are being imposed upon us & that which we are complaining of;

- ① "Food" has bugs, inadequate diet, too small portions, etc.
- ② Medication passed out by Correction Officers, not certified to handle meds & allowing "inmates" to accompany, med. cart.
- ③ "Law library" not up to date, nor does Admin. copy legal mail, for "indigent inmates"
- ④ NO GRIEVANCE Procedure (proper) "GRIEVANCES" filed but not answered.
- ⑤ Officers using "Taser Guns" for entertainment, and to threaten inmates with "for no valid reason."

Again, these are only "some" of the problems we are asking that the Co. Commissioners look into these problems & interview "random" inmates as to the validity of this complaint & to remedy these unfair conditions so as to stop these problems before we are forced to file &

(3)

Civil Law Suit. We are being treated unfairly & subjected to cruel & unusual punishment as well as being deprived of our rights. We are not animals & should not be & will not be treated in this way.

We the undersigned, are witnesses to the above mentioned problems & are in agreement that the violations do exist & that we are being deprived of our rights & request something be done immediately to change this, or we will file suit.

Respectfully,

Witness:

1. Thomas White
 2. Rylee B. [Signature]
 3. [Signature]
 4. Russell Russell
 5. John [Signature]
 6. [Signature]
 7. [Signature]
 8. [Signature]
 9. [Signature]
 10. [Signature]
 11. [Signature]
 12. [Signature]

* (13) [Signature]
 * (14) [Signature]
 * (15) [Signature]
 * (16) [Signature]
 * (17)
 * (18)
 * (19)
 * (20)
 * (21)
 * (22)
 * (23)
 * (24)

W. K. ROCCO & COMMENDAR INCORPORATED

INMATE GRIEVANCE FORM

DATE: Sept. 1st 2006 POD/CELL LOCATION: F-10INMATE NAME: Thomas White INMATE NUMBER: 28827

NATURE OF GRIEVANCE OR INFORMATION: I am filing this grievance because I've asked to have copies made of legal mail, (ie) legal documents from Clerk of Court & appointed attorney that are proof of my rights being violated - I was told that this administration "does not" make copies - only provides inmate with carbon paper to make copies. Well carbon paper isn't any good to copy letters from attorney or clerk etc. I need copies made of my legal work. Federal & State law says you will provide copy service to me & I need it badly.

WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?

I am an indigent inmate & am requesting that this administration provide me with copy service as I am entitled too under state & federal law. I am also requesting to be provided with a copy of this to include your response & signature for my own personal records, thank you.

Respectfully Thomas White

OFFICER RESPONSE OR FINDING?

SGT. ON DUTY RESPONSE:

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED:

CORRECTIONS OFFICER SIGNATURE:

INMATE SIGNATURE:

INMATE GRIEVANCE FORM

DATE: Sept 1st 2006POB/CELL LOCATION: F-10INMATE NAME: Thomas WhiteINMATE NUMBER: 28827

NATURE OF GRIEVANCE OR INFORMATION:

I am filing this grievance because of the law library, the law library is not up to date, does not have the most important books that is essential to the rights of inmates is, CRIMINAL RULES OF PROCEDURE, RULES 13 & 14, PRISONERS RIGHTS HANDBOOK etc, etc. The law library here is not of any benefit or use to inmates who desperately need (are guaranteed to) to have access readily available so as to help prepare for cases/trials etc.

WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?

to update law library & to provide every possible documentation, book & memos to the benefit & availability to all incarcerated inmates housed at this facility. Again... this is a request to be entitled to, & provided to myself and all inmates housed here at this jail to have access to the = updated & current laws, procedures guidelines by the state of Alabama & under Constitution of United States of America. I request copy of this with your response & signature please.

OFFICER RESPONSE OR FINDING?

SGT. ON DUTY RESPONSE:

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED:

CORRECTIONS OFFICER SIGNATURE:

INMATE SIGNATURE:

Lt. Recco & Commander McCarty

INMATE GRIEVANCE FORM

DATE:

Sept. 1st

2006

POD/CELL LOCATION:

F-10

INMATE NAME:

Thomas White

INMATE NUMBER:

28827

NATURE OF GRIEVANCE OR INFORMATION:

The medication is being passed out not by nurses but by C.O.s which are not qualified to handle medication. Medication should be passed out ONLY by nurses or registered personnel, that are allowed by DCA & Fed laws. Common Correctional officers are not qualified, or competent to pass out federally guarded medication(s) also a "trustee" certain should not be allowed to accompany med. cart. I am requesting a copy of this & your response to this for my personal records.

WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?

Only allow Registered Nurse or LPN or federally certified competent officers/officially authorized to handle medication to be able to pass out medication(s). This administration is in direct violation of Federal & State laws by allowing simple corrections officers & trustees to pass out medication to package/handle/dispense medication. I am requesting copies of all grievances I file to be allowed to include your response on my copies on all responses.

OFFICER RESPONSE OR FINDING?

SGT. ON DUTY RESPONSE:

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED:

CORRECTIONS OFFICER SIGNATURE:

INMATE SIGNATURE:

To: Mr. Hould - AND Commander [unclear] Sheriff + Co. Commissioners

INMATE GRIEVANCE FORM

DATE: Sept. 4th, 2006 POD/CELL LOCATION: F-100 LSS
INMATE NAME: Thomas White INMATE NUMBER: 28827

NATURE OF GRIEVANCE OR INFORMATION: This grievance is being filed on behalf of all inmates housed within the Houston Co Jail. Today's "Dinner Meal" (6:00pm) was AUCH-AGE to all inmates here at the jail. It consisted of Turkey Sides (cold) + less than one spoonful of stuffing (about the size of a large egg) A spoonful of carrots + 1 (one) piece of "burned" cake. We (the inmates) have repeatedly complained to this Admin-istration, but to no avail or no change for the better - if anything it (the food) has gotten worse. We are not animals, AND will not tolerate being treated as animals or sub-human creatures. The food is horrendous full of bugs, unbalanced diet, inadequate portions + NOWHERE close to federal + state guidelines.
WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?
Either "Fire" all stewards + replace with (competent) Dietitians + Stewards who will "without fail" oversee + serve better food, free of bugs + balanced meals + adequate amounts or we will enter into a "Class Action" law suit against Houston Co ie CO JAIL, administrator Lts + as well as Sheriff + CO Commissioners. Attached to this grievance is list of witnesses who swear under oath that they all are + have been subjected to above mentioned wrong doings

OFFICER RESPONSE OR FINDING? _____

SGT. ON DUTY RESPONSE: _____

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED: _____
CORRECTIONS OFFICER SIGNATURE: _____
INMATE SIGNATURE: _____

To: Lt. Rocco & Commander McCarty
INMATE GRIEVANCE FORM

Sheriff Elver
& Co Commissioners

DATE: Sept. 4th 2006

POD/CELL LOCATION: E-100

INMATE NAME: Thomas White

INMATE NUMBER: 28827 Russ

NATURE OF GRIEVANCE OR INFORMATION: This grievance is being filed on behalf of all inmates housed within the Houston Co. Jail. Today's "dinner menu" (6:00pm) was an outrage to all inmates here at the jail. It consisted of: Turkey Slices (cold) & less than "one spoonful" of stuffing (A portion about the size of a large egg), A spoonful of carrots & one piece of baked cake. We the inmates have repeatedly complained to this administration, but, to no avail or no change for the better, if anything - the food has gotten worse. We are not animals, and will not tolerate being treated as animals or sub human creatures. The food has been/is consistently full of bugs, an unbalanced nutritional diet, inadequate amounts - & not the quality, quantity or type that Federal State Guidelines call for. We insist upon being treated with more respect & fed as we should be.

WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?

WITNESSES:

1 Thomas P. White	Sgt Thomas White 28827	19 David M. Cross	Sgt David Cross
2 Curtis Mayes	Sgt Curtis Mayes 13476	20 Christopher White	Sgt Christopher White
3 Thomas Cummings	Sgt Thomas Cummings 28827	21 Derrick Lee	Sgt Derrick Lee
4 Kenzie Butler	Sgt Kenzie Butler 58962	22 Stewart Corbin H	Sgt Stewart Corbin
5 Brock Thompson	Sgt Brock Thompson 58366	23 Sylvester Boone	Sgt Sylvester Boone
6 Brad Culver	Sgt Brad Culver	24 Maurice Tyler	Sgt Maurice Tyler
7 Raymond K. Bryant	Sgt Raymond K. Bryant	25 Tony Raylan	Sgt Tony Raylan
8 Jeremy McKenzie	Sgt Jeremy McKenzie	26 Denore Hates	Sgt Denore Hates
9 Reginald Underwood	Sgt Reginald Underwood	27	Sgt
10 Anthony Reese	Sgt Anthony Reese	28	Sgt
11 Marcos Jamagoe	Sgt Marcos Jamagoe	29	Sgt
12 Johnathon Kelley	Sgt Johnathon Kelley	30	Sgt
13 Johnny Owens	Sgt Johnny Owens	31	Sgt
14 David Mitchell	Sgt David Mitchell	32	Sgt
15 Johnny Dozier	Sgt Johnny Dozier	33	Sgt
16 Cornelius Whitehurst	Sgt Cornelius Whitehurst	34	Sgt
17 Romell Russell	Sgt Romell Russell	35	Sgt
18 MARK FORD	Sgt Mark Ford	36	Sgt

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED: _____

CORRECTIONS OFFICER SIGNATURE: _____

INMATE SIGNATURE: _____

4/6

103 W. Woodward & Commander

copy to Sheriff Glover & Co. Commissioners

INMATE GRIEVANCE FORM

DATE: Sept. 5th 2006 POD/CELL LOCATION: F-pod
INMATE NAME: Thomas White INMATE NUMBER: 28827

NATURE OF GRIEVANCE OR INFORMATION:

I was on toilet call today (9/5/06)... I was at the courthouse waiting to see Judge Jackson, when I couldn't hold my urine. I had held it for over 1 hour, & couldn't hold it any longer. I asked the officer (Officer Dunnham) to please allow me to go to the restroom. She refused to let me go. I asked her again please let me go to the bathroom that I can't hold it any longer, or at least call another officer to take me. She refused. I then had to ask the Judge (Jackson) to please instruct Officer Dunnham to take or have me taken to restroom. Judge Jackson had to instruct the officer to have me taken to restroom. Judge Jackson is my witness to this.

WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?

I would like for Officer Dunnham to be fired or suspended for not allowing me to use restroom & for physically assaulting me by shoving me to my chair when all I was doing was pleading with her & Judge Jackson to "allow" me to use the bathroom. I am 41 years old (not a child) - I know when I must use the bathroom. I held it long as I could. If she isn't fired or suspended I assure you I will be filing 1983 civil suit.

SGT. ON DUTY RESPONSE:

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED: _____
CORRECTIONS OFFICER SIGNATURE: _____
INMATE SIGNATURE: _____

Lt. Rodolfo A. Commender

INMATE GRIEVANCE FORM

DATE:

Sept. 1st

2006

POD/CELL LOCATION:

F-10

INMATE NAME:

Thomas White

INMATE NUMBER:

28827

NATURE OF GRIEVANCE OR INFORMATION:

I am filing this grievance because of how the grievance/request procedure is in violation to the rules of procedure as mandated by both state & federal law. When an inmate files a grievance or request the officer gives "one" of the "two" copies back to inmate. This leaves inmate with a copy with "no response" for the inmate to keep for his own records (2) such as to have documented proof of negligence or malice by dept. officials. It is a violation of equal protection & due process which is "guaranteed" by both state & federal requirements.

WHAT DO YOU WANT TO HAPPEN TO SOLVE IT?

Either make grievance/request forms in "triplicate" so as to allow administration 1 copy - inmates file/records 1 copy & also to provide 1 copy to inmate to keep for personal records/proof. I've got 2 (two) grievance forms that I've never got a response to... why? Well, I suppose that the officer I filed grievance against throwed them away. This is violating my rights & I am requesting a copy of your response to this for my own records -

Respectfully, Thomas White

OFFICER RESPONSE OR FINDING?

SGT. ON DUTY RESPONSE:

***** DO NOT SIGN UNTIL YOU HAVE READ RESPONSE *****

DATE GRIEVANCE RETURNED:

CORRECTIONS OFFICER SIGNATURE:

INMATE SIGNATURE: